IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 721 OF 2006

Rahul Tripathi,
S/o Sri R.K. Tripathi,
R/o Sector-53, A-30,
Nodia-U.P. .....Petitioner.

Versus

1. State of Uttaranchal, through Secretary, Higher Education, Dehradun.
2. Dress Society (Non-Profit Organization)
   77 Karanpur Road, Dehradun,
   through its Secretary/Authorized Signatory.

.....Respondents.

Dated: 22.06.2006

Hon'ble Rajesh Tandon, J.

Heard Sri H.M. Bhatia, Advocate for the petitioner and Sri Arvind Vashishth, Advocate for the respondent no. 2.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the order dated 24th March, 2006 passed by the respondent no. 2 on the representation of the petitioner dasted 20.03.2006.

Briefly stated, in pursuance of the advertisement published in the newspaper, the petitioner opted for M.Sc. in Clinical Research and accordingly possessed the requisite qualification for the said post.

According to the case of the petitioner after the personal interview and written test, he was selected for the course of M.Sc. in Clinical Research form Cardiff University and information in this regard was sent to the petitioner vide letter dated 10.03.2006.

The grievance of the petitioner is that the respondent no. 2 without having obtained the sanction from the U.G.C. on

State/Central Government are going to conduct a course and confer a degree of certificate which is not recognized by U.G.C. and as such the course is whimsical and arbitrary one and there is no sanction either from the State of from the Central Government.

The petitioner has moved a representation dated 20.03.2006 for the refund of the fees, but the same has already been rejected.

A counter affidavit has been filed by Sri Arvind Vashisth, counsel for the respondent no.2. The respondent has submitted that the writ petition is not maintainable and there are many professional course being conducted in order to impart training for entering into the jobs of modern era.

In paragraph no. 12 of the counter affidavit, it has been stated by the respondent that it was specifically sated that the course is not approved by the U.G.C. and the petitioner having applied after the full knowledge, at this moment he cannot be allowed to approbate or reprobate.

In view of the aforesaid, the petitioner is directed to approach the appropriate Court for his grievances.

Writ petition is dismissed on the ground of alternative remedy.

No orders as the costs.

(Rajesh Tandon, J.)

22.06.2006
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